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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

JOHN DOE I, et al. on behalf of themselves and all  
others similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

**This document applies to: All Actions**

Case No. 3:23-cv-02431-VC  
Consolidated with: 3:23-cv-02343-VC

**CLASS ACTION**

**JOINT CASE MANAGEMENT  
STATEMENT**

Judge: Hon. Vince Chhabria  
Date: May 24, 2024, 10:00 a.m.  
Location: Courtroom 4, 17th Floor

Plaintiffs and Defendant Google LLC (collectively, “the Parties”) in the above-captioned action, by and through their respective counsel of record, hereby submit the following Joint Case Management Statement pursuant to the Court’s Notice Scheduling Further Case Management Conference. ECF No. 120.

**I. STATUS OF PROCEEDINGS**

This litigation commenced on May 17, 2023, and the Court consolidated all related actions on July 13, 2023. ECF Nos. 1, 41. On September 21, 2023, the Court held a hearing on Plaintiffs’ motion for a preliminary injunction, and on October 18, 2023, the Court denied the motion. ECF Nos. 72, 76.

Plaintiffs filed a Consolidated Amended Complaint on November 17, 2023. ECF No. 86. On March 14, 2024, the Court heard Google’s Motion to Dismiss the complaint, and scheduled a further Case Management Conference for May 24, 2024, noting that the conference may need to be delayed in order to provide time for the Court to rule on the Motion to Dismiss in advance of the conference. ECF Nos. 119, 120; Mar. 14, 2024 Tr. at 74:15-19.

**II. DISCOVERY**

Discovery has been stayed pending an order on the Motion to Dismiss. *See* ECF No. 119.

Prior to the stay, the Parties held a Rule 26(f) Conference on March 4, 2024, and submitted a proposed stipulated Protective Order on March 5, 2024. *See* ECF No. 105. On March 22, 2024, the Court held a closed hearing concerning evidence preservation. ECF No. 128. On April 30, 2024, the Court referred discovery in this action to Magistrate Judge Susan Van Keulen. ECF No. 141. Judge van Keulen entered a Stipulated Protective Order on May 7, 2024. *See* ECF No. 142.

Currently, the Parties are negotiating a proposed ESI Protocol. Plaintiffs sent their most recent revisions to Google on April 3, 2024. Google sent further revisions to Plaintiffs on May 9, 2024 and are currently awaiting Plaintiffs’ response. Should any disputes regarding the ESI Protocol or discovery reach impasse, the Parties will raise them with Magistrate Judge van Keulen at the appropriate time.

### **III. FURTHER PROCEEDINGS**

As noted above, the Parties conducted their Rule 26(f) conference in March 2024. However, the Parties have not yet submitted a Joint Case Management Statement as contemplated by Civil Local Rule 16-9 and the Standing Order for all Judges of the Northern District of California in this action, and no case schedule beyond the initial pleadings has been set.

In light of the impact that the Court's anticipated ruling on Google's pending Motion to Dismiss may have on these issues, the Parties jointly propose that their Joint Rule 26(f) Report and proposed case schedule(s) be submitted in advance of the first Case Management Conference after the Court rules on the pending Motion to Dismiss, and jointly request that the Court schedule that Conference for a date approximately three weeks after the Court rules on the motion to dismiss, or as soon thereafter as is convenient for the Court.

Dated: May 17, 2024

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Dated: May 17, 2024

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**ATTESTATION**

Pursuant to Civil Local Rule 5-1(h)(3), I hereby attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: May 17, 2024

/s/Christian Levis  
Christian Levis